



Writer's direct phone

617-946-4939

Writer's e-mail

tmcgrath@seyfarth.com

Writer's direct fax

World Trade Center East
Two World Trade Center
Suite 300
Boston, MA 02210-2028
617-946-4800
617-946-4801
www.seyfarth.com

FILED
CLERKS OFFICE
2006 SEP 26 P 3:33
U.S. DISTRICT COURT
DISTRICT OF MASS

September 25, 2006

Zita Lovett, Courtroom Clerk
United States District Court
John Joseph Moakley U.S. Courthouse
1 Courthouse Way
Boston, MA 02210

Re: Cappseals, Inc. v. Direct Marketing Concepts, Inc., et al.
Civil Action No. 1:05-cv-11907-JLT

Dear Zita:

Pursuant to our telephone conversation today, this letter is to confirm that counsel for the parties in the above-referenced case are available on October 26, 2006 @ 11:00 a.m. for a Status/Pretrial Conference. As I previously mentioned to you, Attorney Peter Brooks is unavailable to attend the Status/Pretrial Conference currently scheduled for October 10, 2006 due to a prior scheduled arbitration hearing in another matter.

Thank you.

Very truly yours,

SEYFARTH SHAW LLP

A handwritten signature in cursive script, appearing to read "Todd M. McGrath".

Todd M. McGrath

TMM:dnl

cc: Scott A. Silverman, Esq.

BRUSSELS
WASHINGTON, D.C.
SAN FRANCISCO
SACRAMENTO
NEW YORK
LOS ANGELES
HOUSTON
CHICAGO
BOSTON
ATLANTA